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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,416	06/27/2003	Yuri Frid		4882

7590 01/11/2006

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EXAMINER

LIN, SHEW FEN

ART UNIT PAPER NUMBER

2166

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/606,416	Applicant(s) FRID ET AL.	
	Examiner Shew-Fen Lin	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

- a. This action is responsive to application filed on 6/27/2003.
- b. Claims 1-6 are pending. Claims 1, and 4 are independent claims.

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "positions 39-40 in FIG2A" in page 15, line 28 and "34-40 in FIG2A" in page 16, line 17. Item number 40 is missing in Figure 2A. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The disclosure is objected to because of the following informalities: In page 4, last paragraph, lines 1-2, it appears that "U.S. Patent No 6,403,419" should be changed to "U.S.

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Patent No **6,393,419**". In page 5, third paragraph, line 1, it appears that "U.S. Pat. No **6,376,930**" should be changed to "U.S. Pat. No **6,366,930**" Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation of the following underlined portions. There is insufficient antecedent basis for this limitation in the claim. Regarding claim 1, the phrase "possible", "not limiting with" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "not limiting with"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

A computer-based method for creating, maintaining, updating, and querying inventory database over the Internet for the locations and the objects with time-dependent and time-independent attributes, comprising the steps of: a) on the basis of interactive contacts with the potential customers (users, owners of the inventory) creating: i) the initial lists of

locations and locations' attributes to be included into the projected inventory database; ii) the initial lists of objects and objects' time-dependent and time-independent controllable and uncontrollable attributes to be included into the projected inventory database for each of said locations; iii) the evaluation of actual preferences for the customers (users) on the set of possible ageing manners for projected inventory database content; b) registering the particular values for said locations' attributes to be included into the said inventory database thus creating the files of said attributes for said locations; c) generating the particular initial values for objects' controllable inventorial time-dependent and time-independent attributes for each of said locations; d) registering the said generated particular initial values for said objects' controllable inventorial time-dependent and time-independent attributes altogether with initial values for others objects' uncontrollable time-dependent and time-independent attributes for each of said locations thus creating the files of said objects' attributes for said locations; e) transmitting the said files of locations' attributes, the said registered particular initial values for said objects' controllable inventorial time-dependent and time-independent attributes altogether with initial values for said others objects' uncontrollable time-dependent and time-independent attributes for each or of said locations into the central data warehouse over the Internet; f) creating the initial section of inventory database at the said central data warehouse and sending the initial report to the user (owner of the inventory) over the Internet; g) on the basis of actual user's preferences on the set of possible ageing manners for said inventory database content predetermining regular updating periodicity .DELTA.tu (time intervals between regular updates), thus defining the time schedule for the regular database's

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update; h) after the said predetermined time interval .DELTA.tu has elapsed: i) recurrent returning to the steps a)-g); ii) implementing the updating changes of the said files of said locations' attributes, of the said initial values for said objects' controllable inventorial time-dependent attributes altogether with the updating changes of said initial values for said others objects' uncontrollable time-dependent attributes for each of said locations; iii) sending the current report to the user (owner of the inventory) over the Internet; i) supplying the customer (the owner of the inventory) with the necessary software tools, including passwords, to implement over the Internet the whole range of the available user's operations, including but not limiting with: i) querying the said current inventory database; ii) requesting the irregular out-of-schedule update of the said current inventory database; iii) changing the current lists of said locations and/or locations' attributes if said changes are available for the customer, or filing over the Internet the request for these said changes to be implemented by the said central data warehouse; iv) changing the current lists of said objects and/or objects' time-dependent and/or time-independent controllable and/or uncontrollable attributes for each or some of said locations if said changes are available for the customer, or filing over the Internet the request for these said changes to be implemented by the said central data warehouse; v) updating the current files of said locations' attributes or filing over the Internet the request for said update to be implemented by the said central data warehouse; vi) changing the current description of the customer's preferences if said changes are available for the customer, or filing over the Internet the request for these said changes to be implemented by the said central data warehouse; vii) changing the current values for said objects' controllable

inventorial time-dependent and/or time-independent attributes altogether with current values for some of or for all others objects' uncontrollable time-dependent and/or time-independent attributes for each or for some of said locations if said changes are available for the customer, or filing over the Internet the request for these said changes to be implemented by the said central data warehouse; j) in the case when incoming query does not require the irregular update or stable connection over the Internet is unavailable, querying the current section of inventory database and sending to the customer a report, representing a prompt response to the customer's request; k) in the case when incoming query requires the irregular update and stable connection over the Internet is available, recurrent return to the steps a)-g) and implementing: i) the required changes of said current lists of said locations and/or locations' attributes; ii) the required changes of said current lists of said objects and/or objects' time-dependent and/or time-independent controllable and/or uncontrollable attributes for some or for all of said locations; iii) the required changes of said current files of said locations' attributes; iv) the required changes of said current description of the customer's preferences; v) the required changes of said current values for said objects' controllable inventorial time-dependent attributes altogether with the required changes for some of or for all of said current values for said others objects' uncontrollable time-dependent attributes for each or for some of said locations; l) sending over the Internet to the user (owner of the inventory) the confirmation, reporting the changes made according to the user's requests at the step k).

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Claim 2 recites the limitation of the following underlined portions. There is insufficient antecedent basis for this limitation in the claim.

The computer-based method of claim 1, wherein said steps of generating and registering the particular initial values for objects' controllable inventorial time-dependent and time-independent attributes further comprises: a) generating the bar-code identification labels as initial values for objects' controllable inventorial time-independent attributes (primary keys) and placing these labels at the visually accessible surfaces of the said objects; b) creating digital photo- and/or video-images as initial values for the objects' controllable inventorial time-dependent attributes in a way, that guarantees positioning of the said labels in a field of the said images; c) registering the particular initial values for objects' controllable inventorial time-dependent and time-independent attributes on the basis of digital decoding of said photo- and/or video-images.

Claim 3 recites the limitation of the following underlined portions. There is insufficient antecedent basis for this limitation in the claim. Regarding claim 3 the phrase "possible", "reasonable", "not limiting with" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "not limiting with"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

The computer-based method of claim 1, wherein said step of defining the time schedule for the regular database's update further comprises defining the time  $T_n$  for the database



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update number "n" as a function of the data base parameters  $P(T_{n-1})$ , which have been determined at the previous update number "n-1", and/or decision making strategy including but not limiting with the next: i) presuming permanence of the database parameters  $P(T_n)=P(T_{n-1})=\text{const}$  ii) using calculated approximations for  $P(T_n)$  as a function F of all previous history of database parameters' values  $P(T_n)=F[P(T_i), i.\epsilon(0,n)]$  iii) calculating the time interval  $\Delta T_n$ ,  $T_n=T_{n-1}+\Delta T_n$ , by resolving an optimization problem:

$\Delta T_n = \text{ArgMax}_{U_c}(\Delta T_n), A\text{-inverted}.\Delta T_n.\epsilon(\Delta T_{\text{min}}, \Delta T_{\text{max}})$ , where  $U_c$  stands for the customer's utility function,  $\Delta T_{\text{min}}$  stands for the minimal interval between two updates, which is technically possible,  $\Delta T_{\text{max}}$  stands for the maximal interval between two updates, which is determined reasonable by the customer; iv) using a mixed strategy on the set of strategies i)-iii), when for one part of the database parameters strategy i) is implemented, for the other part of the database parameters strategy ii) is implemented, and for the last part of the database parameters strategy iii) is implemented.

As to claims 4-6, are directed to a computer system carrying instructions for performing the methods of claims 1-3 and are rejected along the same rationale.

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***Allowable Subject Matter***

Claims 1-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2166  
January 6, 2006

  
**MOHAMMAD ALI**  
**PRIMARY EXAMINER**

Shew-Fen Lin  
Patent Examiner

<b>Notice of References Cited</b>	Application/Control No. 10/606,416	Applicant(s)/Patent Under Reexamination FRID ET AL.	
	Examiner Shew-Fen Lin	Art Unit 2166	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,366,930 B1	04-2002	Parker et al.	707/203
*	B	US-6,393,419 B1	05-2002	Novak et al.	707/8
*	C	US-6,401,091 B1	06-2002	Butler et al.	707/10
*	D	US-6,418,441 B1	07-2002	Call, Charles G.	707/10
*	E	US-2002/0091699 A1	07-2002	Norton et al.	707/10
*	F	US-2003/0088449 A1	05-2003	Menninger, Anthony Frank	705/8
*	G	US-2004/0162768 A1	08-2004	Snyder et al.	705/028
*	H	US-2004/0267714 A1	12-2004	Frid et al.	707/003
*	I	US-2005/0060245 A1	03-2005	Hoffman et al.	705/028
*	J	US-2005/0228805 A1	10-2005	Britton et al.	707/100
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
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	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
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	W	
	X	

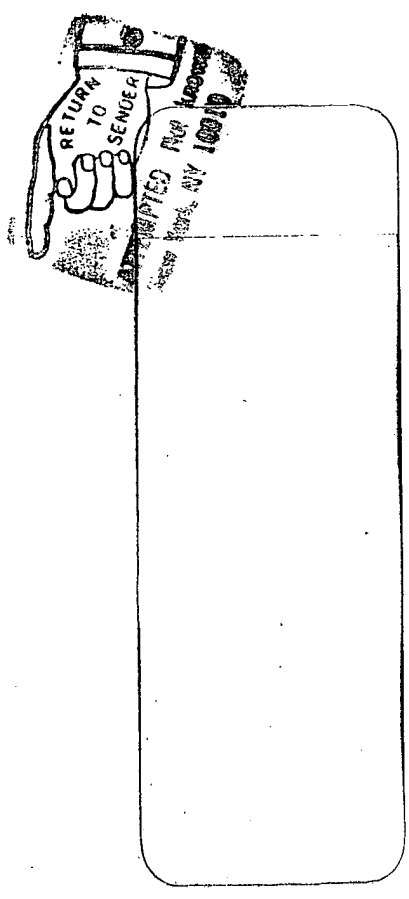
\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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